

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

<b>MCOM IP, LLC,</b>	)	
<b>Plaintiff,</b>	)	
	)	<b>Civil Action No. 6:21-cv-00499</b>
<b>v.</b>	)	
	)	
<b>INFOSYS LIMITED</b>	)	<b>JURY TRIAL DEMANDED</b>
<b>Defendant.</b>	)	

**PLAINTIFF’S ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT**

mCom IP, LLC (“mCom”) files this Original Complaint and demand for jury trial seeking relief from patent infringement of the claims of U.S. Patent No. 8,862,508 (“the ‘508 patent”) (referred to as the “Patent-in-Suit”) by Infosys Limited (“Infosys”).

**I. THE PARTIES**

1. Plaintiff mCom is a Texas Limited Liability Company with its principal place of business located in Harris County, Texas.

2. On information and belief, Infosys is a corporation existing under the laws of the State of Delaware, with a principal place of business located at 507 E Howard Ln Austin, TX 78753. On information and belief, INFOSYS sells and offers to sell products and services throughout Texas, including in this judicial district, and introduces products and services that perform infringing methods or processes into the stream of commerce knowing that they would be sold in Texas and this judicial district. Defendant may be served through its registered agent C T Corp System, 1999 Bryan St., Ste. 900, Dallas, TX 75201-3136 or wherever they may be found.

**II. JURISDICTION AND VENUE**

3. This Court has original subject-matter jurisdiction over the entire action pursuant to 28 U.S.C. §§ 1331 and 1338(a) because Plaintiff's claim arises under an Act of Congress relating to patents, namely, 35 U.S.C. § 271.

4. This Court has personal jurisdiction over Defendant because: (i) Defendant is present within or has minimum contacts within the State of Texas and this judicial district; (ii) Defendant has purposefully availed itself of the privileges of conducting business in the State of Texas and in this judicial district; and (iii) Plaintiff's cause of action arises directly from Defendant's business contacts and other activities in the State of Texas and in this judicial district.

5. Venue is proper in this district under 28 U.S.C. §§ 1391(b) and 1400(b). Defendant has committed acts of infringement and has a regular and established place of business in this District. Further, venue is proper because Defendant conducts substantial business in this forum, directly or through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct and/or deriving substantial revenue from goods and services provided to individuals in Texas and this District.

### **III. INFRINGEMENT**

#### **A. Infringement of the '508 Patent**

6. On October 14, 2014, U.S. Patent No. 8,862,508 ("the '508 patent", attached as Exhibit A) entitled "System and method for unifying e-banking touch points and providing personalized financial services" was duly and legally issued by the U.S. Patent and Trademark Office. MCom owns the '508 patent by assignment.

7. The '508 patent relates to novel and improved systems and methods for constructing a unified banking system.

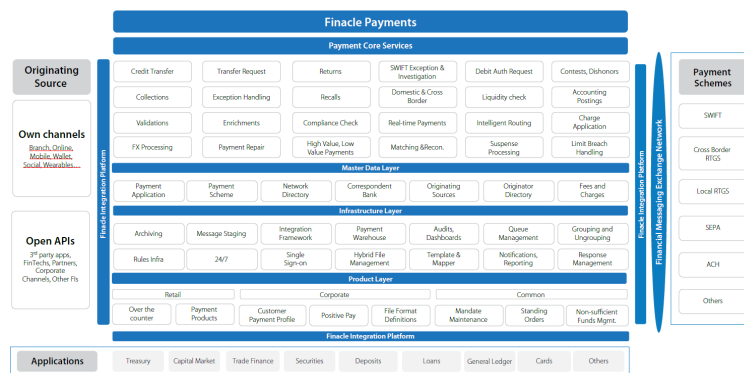
8. INFOSYS maintains, operates, and administers methods and systems of unified banking systems that infringe one or more claims of the ‘508 patent, including one or more of claims 1-20, literally or under the doctrine of equivalents. Defendant put the inventions claimed by the ‘508 Patent into service (i.e., used them); but for Defendant’s actions, the claimed-inventions embodiments involving Defendant’s products and services would never have been put into service. Defendant’s acts complained of herein caused those claimed-invention embodiments as a whole to perform, and Defendant’s procurement of monetary and commercial benefit from it.

9. Support for the allegations of infringement may be found in the following preliminary table:

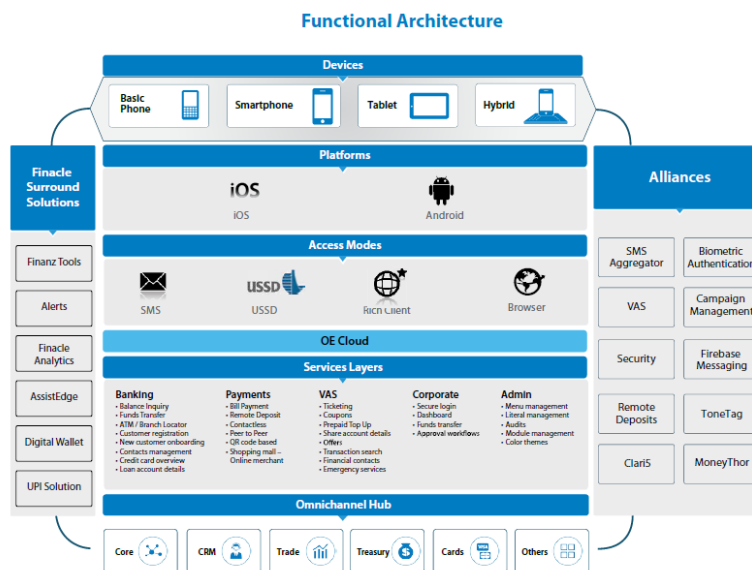
10. Claim	Infosys
1. A method for constructing a unified electronic banking environment, said method comprising the steps of:	<p data-bbox="412 932 1024 1087"><b>What It Takes to Become Truly Digital</b></p> <p data-bbox="412 1146 993 1176"><u>Demystifying digitization for the financial industry</u></p> <p data-bbox="412 1213 925 1314"><i>Becoming truly digital</i> is so much more than dressing up the same business model with trendy technology. It requires reimagining banking from the inside out and revolutionizing IT ecosystems to live in the digital landscape.</p> <p data-bbox="412 1346 883 1419">With experience of transforming financial institutions across 100 countries, we’ve found that digital banking includes four standout characteristics:</p> <p data-bbox="397 1528 1192 1558"><b>Attachment 1 (Universal Banking Solution Brochure) at 3.</b></p> <p data-bbox="397 1598 1386 1671"><b>Source: <a href="https://www.edgeverve.com/wp-content/uploads/2018/12/Universal-Banking-Solution-brochure-2018.pdf">https://www.edgeverve.com/wp-content/uploads/2018/12/Universal-Banking-Solution-brochure-2018.pdf</a></b></p>

**10. Claim****Infosys**

providing at least one common multi-channel server coupled to more than one e-banking touch points and also coupled to at least one computer system configured with at least one control console, said more than one e-banking touch points and said at least one computer system being provided in locations remote from the other, and further wherein said more than one plurality of e-banking touch points are comprised of at least two different types of e-banking touch point devices, each of which comprise one or more of an automatic teller/transaction machine (ATM), a self service coin counter (SSCC), a kiosk, a digital signage display, an

**Attachment 2 (Finacle Payments Suite Brochure) at 10****Source:**

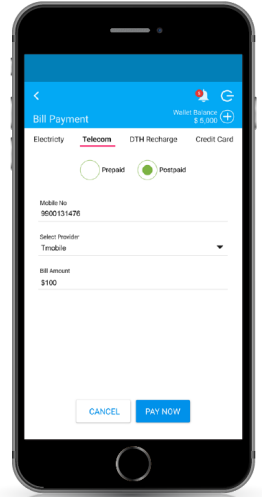
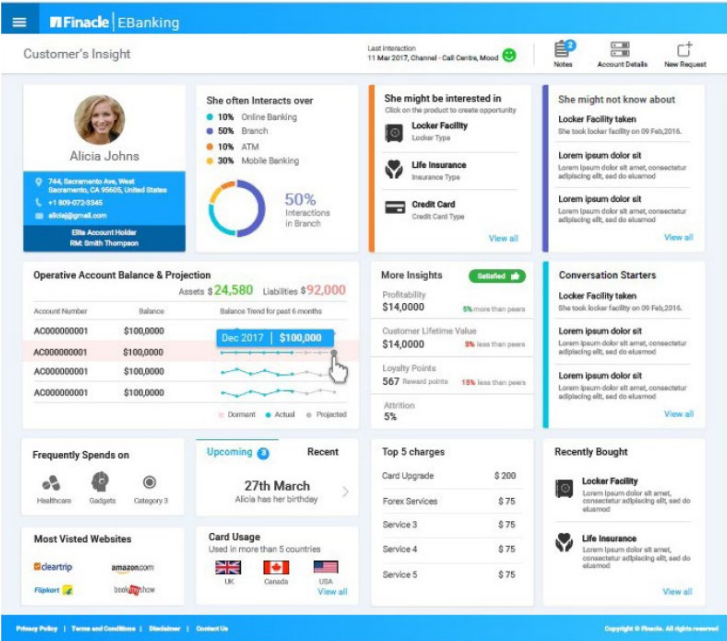
[https://www.edgeverve.com/wp-content/uploads/2020/09/Finacle\\_Payments\\_Suite\\_Brochure.pdf](https://www.edgeverve.com/wp-content/uploads/2020/09/Finacle_Payments_Suite_Brochure.pdf)

**Attachment 3 (Finacle Mobile Banking Brochure) at 10**

**Source:** <https://www.edgeverve.com/wp-content/uploads/2020/07/Finacle-Mobile-Banking-brochure-2020.pdf>



10. Claim	Infosys
<p>online accessible banking website, a personal digital assistant (PDA), a personal computer (PC), a laptop, a wireless device, or a combination of two or more thereof, and wherein at least one of said e-banking touch points is in communication with one or more financial institutions through said multi-channel server;</p>	<p style="text-align: center;"><b>Infosys</b></p> <p style="text-align: center;">Functional Architecture</p> <p style="text-align: center;"><b>Attachment 4 (Finacle Digit Wallet Brochure) at 4</b></p> <p><b>Source:</b> <a href="https://www.edgeverve.com/wp-content/uploads/2016/12/Finacle_Digital_Wallet_Brochure.pdf">https://www.edgeverve.com/wp-content/uploads/2016/12/Finacle_Digital_Wallet_Brochure.pdf</a></p>
<p>receiving an actionable input from at least one e-banking touch point;</p>	

10. Claim	Infosys
	<p><b>Attachment 4 (Finacle Digit Wallet Brochure) at 2</b></p> <p><b>Source:</b> <a href="https://www.edgeverve.com/wp-content/uploads/2016/12/Finacle_Digital_Wallet_Brochure.pdf">https://www.edgeverve.com/wp-content/uploads/2016/12/Finacle_Digital_Wallet_Brochure.pdf</a></p>
<p>retrieving previously stored data associated with said actionable input, wherein said previously stored data is accessible to any one of said e-banking touch points, and said previously stored data comprises data from one or more financial institutions and one or more user-defined preferences;</p>	<ul style="list-style-type: none"> <li>• An eclectic mix of 50 + pre-packaged business scenarios with interactive visualizations is available across areas such as <u>customer profitability, segmentation and cross-sell and upsell, wealth management, payments, CXO consoles, among others</u></li> <li>• Increase your share of wallet, retain and acquire customers, and <u>sell personalized products and services using banking-focused sentiment and behavioral analytics</u></li> </ul> <p><b>Attachment 5 (Finacle Analytics Brochure) at 3</b></p> <p><b>Source:</b> <a href="https://www.edgeverve.com/wp-content/uploads/2016/11/Finacle_Analytics_Brochure.pdf">https://www.edgeverve.com/wp-content/uploads/2016/11/Finacle_Analytics_Brochure.pdf</a></p>
<p>delivering said retrieved data to said at least one e-banking touch point transmitting said actionable input;</p>	

10. Claim	Infosys
	<div data-bbox="776 275 1036 768"></div> <div data-bbox="399 938 1079 974">Attachment 4 (Finacle Digit Wallet Brochure) at 3</div> <div data-bbox="399 1008 1421 1085">Source: <a href="https://www.edgeverve.com/wp-content/uploads/2016/12/Finacle_Digital_Wallet_Brochure.pdf">https://www.edgeverve.com/wp-content/uploads/2016/12/Finacle_Digital_Wallet_Brochure.pdf</a></div>
<p>storing transactional usage data associated with said at least one e-banking touch point transmitting said actionable input, wherein said stored transactional usage data is accessible by any one of said more than one e-banking touch points and said at</p>	<div data-bbox="407 1192 1130 1829"></div>

10. Claim	Infosys
least one computer system;	<p><b>Attachment 5 (Finacle Analytics Brochure) at 6</b></p> <p><b>Source:</b> <a href="https://www.edgeverve.com/wp-content/uploads/2016/11/Finacle_Analytics_Brochure.pdf">https://www.edgeverve.com/wp-content/uploads/2016/11/Finacle_Analytics_Brochure.pdf</a></p>
monitoring via said server an active session in real-time for selection of targeted marketing content correlated to said user-defined preferences;	<p>Big data and Analytics are key to generating customer-specific data. For this purpose, banks may have to invest in sophisticated servers for storing and crunching voluminous data, analyze it using statistical algorithms and then generate useful profile reports. Banks can make use of customer experience management tools to analyze customer behavior, such as their data usage, website preferences, transaction patterns, and financial priorities. <u>These individualized reports can be used to determine which products and services to advertise to each customer, and on which channel.</u></p> <p><b>Attachment 6 (Digital marketing strategy for Banks) at 3</b></p> <p><b>Source:</b> <a href="https://www.edgeverve.com/wp-content/uploads/2018/12/Digital-marketing-strategy-for-Banks.pdf">https://www.edgeverve.com/wp-content/uploads/2018/12/Digital-marketing-strategy-for-Banks.pdf</a></p>

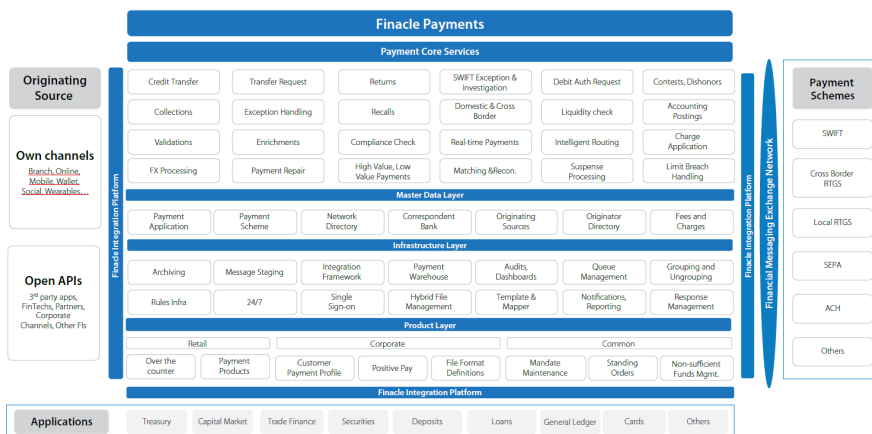


10. Claim	Infosys
<p>subsequent to said monitoring, selecting in real-time said targeted marketing content correlated to said user-defined preferences; and</p>	<div data-bbox="412 275 602 310">  <b>Way Forward</b> </div> <p data-bbox="406 321 711 636">Banks which are slow to adopt digital means for their operations or marketing are likely to lose customers as competition may devise imaginative ways to capture new geographies and markets. Since 1991 when the Internet revolution began, the majority of banks have gone online. Some have gone one step further to go mobile. The next wave is about adopting SMAC (Social, Media, Analytics, and Cloud) technologies and integrating them into bank strategies.</p> <p data-bbox="406 653 711 915">A holistic view of the customer is easily achieved using these technologies. Social media helps achieve more personalized interactions with customers and get insights to customer preferences and likes. <u>Bank can offer products and services according to the personal choices of customers.</u> Mobile technologies have revolutionized the processing of financial transactions for customers enabling them</p> <p data-bbox="751 279 1057 888"><u>to do the banking transactions 'on the go' anywhere, anytime. Everything needed for an individual such as payments, shopping, communication, and marketing are accessible through mobile. Analytics helps to gather customer's social and transactional behavior. These can be very effectively used to have a granular understanding of the customer needs and design products and services accordingly.</u> Cloud technology brings in a new way to access and deliver data, as per the business needs and help respond quickly to the changing market conditions. Thus the convergence of the SMAC technologies empowers banks to engage with new and existing customers, to improve customer loyalty and to enhance market share. Individualized marketing strategies help the banks to target different types of customers for varied financial products and services such as deposits, lending, payments and so on.</p> <p data-bbox="396 1020 1174 1056"><b>Attachment 6 (Digital marketing strategy for Banks) at 6</b></p> <p data-bbox="396 1089 1422 1167"><b>Source: <a href="https://www.edgeverve.com/wp-content/uploads/2018/12/Digital-marketing-strategy-for-Banks.pdf">https://www.edgeverve.com/wp-content/uploads/2018/12/Digital-marketing-strategy-for-Banks.pdf</a></b></p>
<p>transmitting in real-time said targeted marketing content during said active session to at least one of said e-banking touch points for acceptance, rejection, or no response by a user, wherein said response by said user is used during said active session</p>	<div data-bbox="412 1278 586 1314">  <b>Way Forward</b> </div> <p data-bbox="406 1325 686 1612">Banks which are slow to adopt digital means for their operations or marketing are likely to lose customers as competition may devise imaginative ways to capture new geographies and markets. Since 1991 when the Internet revolution began, the majority of banks have gone online. Some have gone one step further to go mobile. The next wave is about adopting SMAC (Social, Media, Analytics, and Cloud) technologies and integrating them into bank strategies.</p> <p data-bbox="406 1627 686 1866">A holistic view of the customer is easily achieved using these technologies. Social media helps achieve more personalized interactions with customers and get insights to customer preferences and likes. <u>Bank can offer products and services according to the personal choices of customers.</u> Mobile technologies have revolutionized the processing of financial transactions for customers enabling them</p> <p data-bbox="722 1283 1011 1843"><u>to do the banking transactions 'on the go' anywhere, anytime. Everything needed for an individual such as payments, shopping, communication, and marketing are accessible through mobile. Analytics helps to gather customer's social and transactional behavior. These can be very effectively used to have a granular understanding of the customer needs and design products and services accordingly.</u> Cloud technology brings in a new way to access and deliver data, as per the business needs and help respond quickly to the changing market conditions. Thus the convergence of the SMAC technologies empowers banks to engage with new and existing customers, to improve customer loyalty and to enhance market share. Individualized marketing strategies help the banks to target different types of customers for varied financial products and services such as deposits, lending, payments and so on.</p>

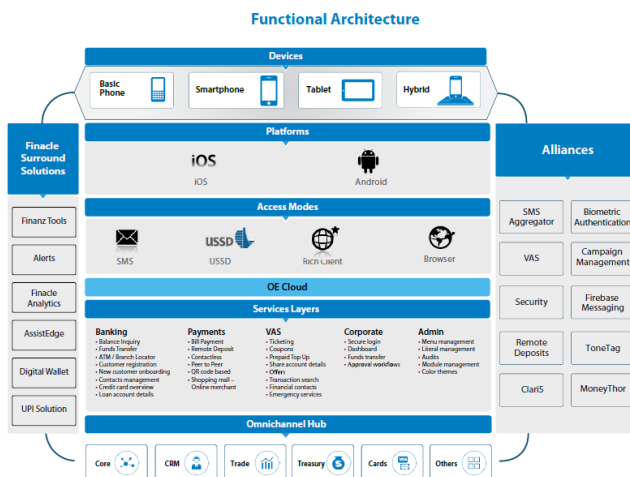
10. Claim	Infosys
<p>to determine whether transmission of additional information related to said marketing content occurs during said active session.</p>	<p><b>Attachment 6 (Digital marketing strategy for Banks) at 6</b></p> <p><b>Source:</b> <a href="https://www.edgeverve.com/wp-content/uploads/2018/12/Digital-marketing-strategy-for-Banks.pdf">https://www.edgeverve.com/wp-content/uploads/2018/12/Digital-marketing-strategy-for-Banks.pdf</a></p>
<p>Claim 7, A method for constructing a unified electronic banking environment, said method comprising the steps of:</p>	<p><b>What It Takes to Become Truly Digital</b></p> <p><b><u>Demystifying digitization for the financial industry</u></b></p> <p><i>Becoming truly digital</i> is so much more than dressing up the same business model with trendy technology. It requires reimagining banking from the inside out and revolutionizing IT ecosystems to live in the digital landscape.</p> <p>With experience of transforming financial institutions across 100 countries, we've found that digital banking includes four standout characteristics:</p> <p><b>Attachment 1 (Universal Banking Solution Brochure) at 3.</b></p> <p><b>Source:</b> <a href="https://www.edgeverve.com/wp-content/uploads/2018/12/Universal-Banking-Solution-brochure-2018.pdf">https://www.edgeverve.com/wp-content/uploads/2018/12/Universal-Banking-Solution-brochure-2018.pdf</a></p>

**10. Claim****Infosys**

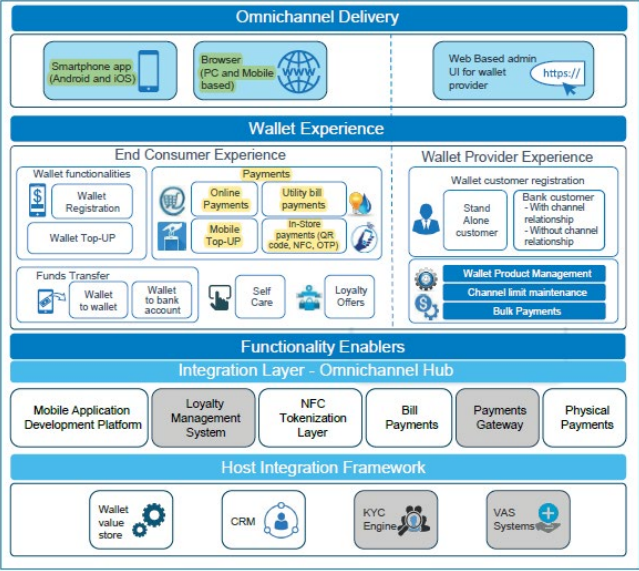
providing a common multi-channel server coupled to one or more e-banking touch points and also coupled to one or more computer systems, wherein each computer system is associated with a financial institution, said e-banking touch points being provided in locations remote from the other, and each of which comprise one or more of an automatic teller/transaction machine (ATM), a self-service coin counter (SSCC), a kiosk, a digital signage display, an online accessible banking website, a personal digital assistant (PDA), a personal computer (PC), a laptop, a wireless device, or a combination of two or more thereof, and

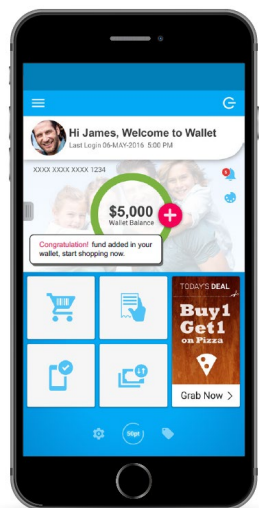
**Attachment 2 (Finacle Payments Suite Brochure) at 10****Source:**

[https://www.edgeverve.com/wp-content/uploads/2020/09/Finacle\\_Payments\\_Suite\\_Brochure.pdf](https://www.edgeverve.com/wp-content/uploads/2020/09/Finacle_Payments_Suite_Brochure.pdf)

**Attachment 3 (Finacle Mobile Banking Brochure) at 10**

**Source:** <https://www.edgeverve.com/wp-content/uploads/2020/07/Finacle-Mobile-Banking-brochure-2020.pdf>

10. Claim	Infosys
<p>wherein at least one of said e-banking touch points is in communication with one or more financial institutions through said multi-channel server;</p>	<p>Functional Architecture</p>  <p>Attachment 4 (Finacle Digit Wallet Brochure) at 4</p> <p>Source: <a href="https://www.edgeverve.com/wp-content/uploads/2016/12/Finacle_Digital_Wallet_Brochure.pdf">https://www.edgeverve.com/wp-content/uploads/2016/12/Finacle_Digital_Wallet_Brochure.pdf</a></p>
<p>receiving an actionable input from at least one e-banking touch point;</p>	

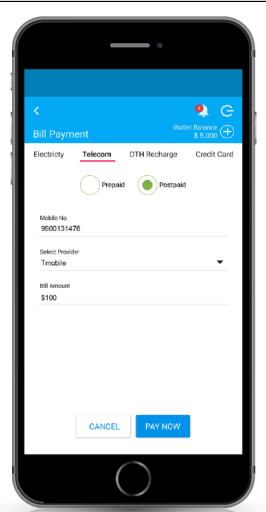
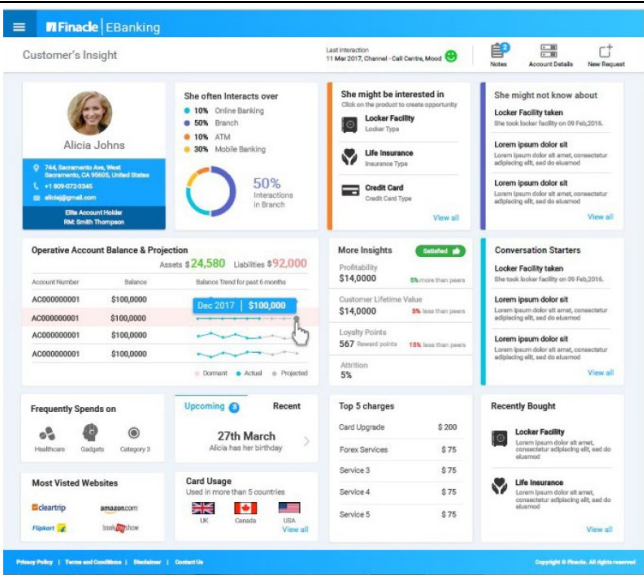
**10. Claim****Infosys**

**Attachment 4 (Finacle Digit Wallet Brochure) at 2**

**Source:**


**[https://www.edgeverve.com/wp-content/uploads/2016/12/Finacle\\_Digital\\_Wallet\\_Brochure.pdf](https://www.edgeverve.com/wp-content/uploads/2016/12/Finacle_Digital_Wallet_Brochure.pdf)**


10. Claim	Infosys
<p>retrieving previously stored data associated with said actionable input, wherein said previously stored data is accessible to any one of said e-banking touch points, and said previously stored data comprises data from one or more financial institutions and one or more user-defined preferences;</p>	<ul style="list-style-type: none"> <li>• An eclectic mix of 50 + pre-packaged business scenarios with interactive visualizations is available across areas such as <u>customer profitability</u>, <u>segmentation and cross-sell and upsell</u>, <u>wealth management</u>, <u>payments</u>, <u>CXO consoles</u>, among others</li> <li>• Increase your share of wallet, retain and acquire customers, and <u>sell personalized products and services using banking-focused sentiment and behavioral analytics</u></li> </ul> <p><b>Attachment 5 (Finacle Analytics Brochure) at 3</b></p> <p><b>Source:</b> <a href="https://www.edgeverve.com/wp-content/uploads/2016/11/Finacle_Analytics_Brochure.pdf">https://www.edgeverve.com/wp-content/uploads/2016/11/Finacle_Analytics_Brochure.pdf</a></p>
<p>delivering said retrieved data to said at least one e-banking touch point transmitting said actionable input;</p>	

10. Claim	Infosys
	<div data-bbox="776 260 1040 768"></div> <div data-bbox="399 936 1079 974">Attachment 4 (Finacle Digit Wallet Brochure) at 3</div> <div data-bbox="399 1005 1421 1085">Source: <a href="https://www.edgeverve.com/wp-content/uploads/2016/12/Finacle_Digital_Wallet_Brochure.pdf">https://www.edgeverve.com/wp-content/uploads/2016/12/Finacle_Digital_Wallet_Brochure.pdf</a></div>
<p>storing transactional usage data associated with said at least one e-banking touch point transmitting said actionable input, wherein said stored transactional usage data is accessible by any one of said e-banking touch points and said one or more computer systems;</p>	<div data-bbox="404 1184 1044 1755"></div> <div data-bbox="399 1797 1042 1835">Attachment 5 (Finacle Analytics Brochure) at 6</div>

10. Claim	Infosys
	<p><b>Source:</b> <a href="https://www.edgeverve.com/wp-content/uploads/2016/11/Finacle_Analytics_Brochure.pdf">https://www.edgeverve.com/wp-content/uploads/2016/11/Finacle_Analytics_Brochure.pdf</a></p>
<p>monitoring via said server said active session in real-time for selection of targeted marketing content correlated to said user-defined preferences;</p>	<p>Big data and Analytics are key to generating customer-specific data. For this purpose, banks may have to invest in sophisticated servers for storing and crunching voluminous data, analyze it using statistical algorithms and then generate useful profile reports. Banks can make use of customer experience management tools to analyze customer behavior, such as their data usage, website preferences, transaction patterns, and financial priorities. <u>These individualized reports can be used to determine which products and services to advertise to each customer, and on which channel.</u></p> <p><b>Attachment 6 (Digital marketing strategy for Banks) at 3</b></p> <p><b>Source:</b> <a href="https://www.edgeverve.com/wp-content/uploads/2018/12/Digital-marketing-strategy-for-Banks.pdf">https://www.edgeverve.com/wp-content/uploads/2018/12/Digital-marketing-strategy-for-Banks.pdf</a></p>



10. Claim	Infosys
<p>subsequent to said monitoring, selecting in real-time said targeted marketing content correlated to said user-defined preferences; and</p>	<div data-bbox="412 275 584 310">  <b>Way Forward</b> </div> <p data-bbox="406 317 685 606">Banks which are slow to adopt digital means for their operations or marketing are likely to lose customers as competition may devise imaginative ways to capture new geographies and markets. Since 1991 when the Internet revolution began, the majority of banks have gone online. Some have gone one step further to go mobile. The next wave is about adopting SMAC (Social, Media, Analytics, and Cloud) technologies and integrating them into bank strategies.</p> <p data-bbox="406 623 685 861">A holistic view of the customer is easily achieved using these technologies. Social media helps achieve more personalized interactions with customers and get insights to customer preferences and likes. <u>Bank can offer products and services according to the personal choices of customers.</u> Mobile technologies have revolutionized the processing of financial transactions for customers enabling them</p> <p data-bbox="725 279 1005 840"><u>to do the banking transactions 'on the go' anywhere, anytime. Everything needed for an individual such as payments, shopping, communication, and marketing are accessible through mobile.</u> Analytics helps to gather customer's social and transactional behavior. These can be very effectively used to have a <u>granular understanding of the customer needs and design products and services accordingly.</u> Cloud technology brings in a new way to access and deliver data, as per the business needs and help respond quickly to the changing market conditions. Thus the convergence of the SMAC technologies empowers banks to engage with new and existing customers, to improve customer loyalty and to enhance market share. Individualized marketing strategies help the banks to target different types of customers for varied financial products and services such as deposits, lending, payments and so on.</p> <p data-bbox="397 972 1172 1005"><b>Attachment 6 (Digital marketing strategy for Banks) at 6</b></p> <p data-bbox="397 1039 1421 1115"><b>Source: <a href="https://www.edgeverve.com/wp-content/uploads/2018/12/Digital-marketing-strategy-for-Banks.pdf">https://www.edgeverve.com/wp-content/uploads/2018/12/Digital-marketing-strategy-for-Banks.pdf</a></b></p>

10. Claim	Infosys
<p>transmitting in real-time said targeted marketing content during said active session to at least one of said e-banking touch points for acceptance, rejection, or no response by a user, wherein said response by said user is used during said active session to determine whether transmission of additional information related to said marketing content occurs during said active session.</p>	<div data-bbox="418 275 621 317">  <b>Way Forward</b> </div> <div data-bbox="406 327 743 674"> <p>Banks which are slow to adopt digital means for their operations or marketing are likely to lose customers as competition may devise imaginative ways to capture new geographies and markets. Since 1991 when the Internet revolution began, the majority of banks have gone online. Some have gone one step further to go mobile. The next wave is about adopting SMAC (Social, Media, Analytics, and Cloud) technologies and integrating them into bank strategies.</p> </div> <div data-bbox="406 688 743 982"> <p>A holistic view of the customer is easily achieved using these technologies. Social media helps achieve more personalized interactions with customers and get insights to customer preferences and likes. <u>Bank can offer products and services according to the personal choices of customers.</u> Mobile technologies have revolutionized the processing of financial transactions for customers enabling them</p> </div> <div data-bbox="789 279 1127 951"> <p><u>to do the banking transactions 'on the go' anywhere, anytime. Everything needed for an individual such as payments, shopping, communication,</u> and marketing are accessible through mobile. Analytics helps to gather customer's social and transactional behavior. These can be very effectively used to have a <u>granular understanding of the customer needs and design products and services accordingly.</u> Cloud technology brings in a new way to access and deliver data, as per the business needs and help respond quickly to the changing market conditions. Thus the convergence of the SMAC technologies empowers banks to engage with new and existing customers, to improve customer loyalty and to enhance market share. Individualized marketing strategies help the banks to target different types of customers for varied financial products and services such as deposits, lending, payments and so on.</p> </div> <div data-bbox="397 1087 1174 1123"> <p><b>Attachment 6 (Digital marketing strategy for Banks) at 6</b></p> </div> <div data-bbox="397 1157 1422 1234"> <p><b>Source: <a href="https://www.edgeverve.com/wp-content/uploads/2018/12/Digital-marketing-strategy-for-Banks.pdf">https://www.edgeverve.com/wp-content/uploads/2018/12/Digital-marketing-strategy-for-Banks.pdf</a></b></p> </div>

These allegations of infringement are preliminary and are therefore subject to change.

11. INFOSYS has and continues to induce infringement. INFOSYS has actively encouraged or instructed others (e.g., its customers and/or the customers of its related companies), and continues to do so, on how to construct a unified banking system such as to cause infringement of one or more of claims 1–20 of the '508 patent, literally or under the doctrine of equivalents. Moreover, INFOSYS has known of the '508 patent and the technology underlying it from at least the date of issuance of the patent.

12. INFOSYS has and continues to contributorily infringe. INFOSYS has actively encouraged or instructed others (e.g., its customers and/or the customers of its related companies), and continues to do so, on how to use its products and services (e.g., construction of unified banking system) and related services that provide unified banking systems such as to cause infringement of one or more of claims 1–20 of the '508 patent, literally or under the doctrine of equivalents. Moreover, INFOSYS has known of the '508 patent and the technology underlying it from at least the date of issuance of the patent.

13. INFOSYS has caused and will continue to cause MCom damage by direct and indirect infringement of (including inducing infringement of) the claims of the '508 patent.

#### **IV. JURY DEMAND**

MCom hereby requests a trial by jury on issues so triable by right.

#### **V. PRAYER FOR RELIEF**

WHEREFORE, MCom prays for relief as follows:

- a. enter judgment that Defendant has infringed the claims of the '508 patent;
- b. award MCom damages in an amount sufficient to compensate it for Defendant's infringement of the '508 patent in an amount no less than a reasonable royalty or lost profits, together with pre-judgment and post-judgment interest and costs under 35 U.S.C. § 284;
- c. award MCom an accounting for acts of infringement not presented at trial and an award by the Court of additional damage for any such acts of infringement;
- d. declare this case to be "exceptional" under 35 U.S.C. § 285 and award MCom its attorneys' fees, expenses, and costs incurred in this action;

- e. declare Defendant's infringement to be willful and treble the damages, including attorneys' fees, expenses, and costs incurred in this action and an increase in the damage award pursuant to 35 U.S.C. § 284;
- f. a decree addressing future infringement that either (i) awards a permanent injunction enjoining Defendant and its agents, servants, employees, affiliates, divisions, and subsidiaries, and those in association with Defendant from infringing the claims of the Patents-in-Suit, or (ii) awards damages for future infringement in lieu of an injunction in an amount consistent with the fact that for future infringement the Defendant will be an adjudicated infringer of a valid patent, and trebles that amount in view of the fact that the future infringement will be willful as a matter of law; and
- g. award MCom such other and further relief as this Court deems just and proper.

Respectfully submitted,

**Ramey & Schwaller, LLP**

A handwritten signature in blue ink, appearing to read 'WPR', with a large, stylized loop underneath.

---

William P. Ramey, III  
Texas State Bar No. 24027643  
5020 Montrose Blvd., Suite 800  
Houston, Texas 77006  
(713) 426-3923 (telephone)  
(832) 900-4941 (fax)  
wramey@rameyfirm.com

***Attorneys for MCom IP, LLC***